

EXHIBIT B



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
14/621,636	02/13/2015	Subil M. Abraham	END920140224US1_8134-0087	2481

73109	7590	11/05/2015
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EXAMINER	
DSOUZA, JOSEPH FRANCIS A	

ART UNIT	PAPER NUMBER
2632	

NOTIFICATION DATE	DELIVERY MODE
11/05/2015	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ibmptomail@iplawpro.com

Office Action SummaryApplication No.
14/621,636Applicant(s)
ABRAHAM ET AL.Examiner
ADOLF DSOUZAArt Unit
2632AIA (First Inventor to File)
Status
Yes**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/13/2015.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims*

- 5) ☒ Claim(s) 1 - 20 is/are pending in the application.
 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☒ Claim(s) 1 - 14 is/are allowed.
- 7) ☒ Claim(s) 15 - 20 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☒ The drawing(s) filed on 2/13/2015 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☐ All b) ☐ Some** c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

** See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Information Disclosure Statement(s) (PTO/SB/08a and/or PTO/SB/08b)
 Paper No(s)/Mail Date ____.
- 3) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____.
- 4) ☐ Other: ____.

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1. The present application, filed on or after March 16, 2013, is being examined under the first inventor to file provisions of the AIA.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 15 - 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 15 recites "computer-readable storage medium" which covers forms of non-transitory tangible media and transitory media per se in view of the ordinary and customary meaning of computer program distribution media. See 1351 OG (02/23/2010), "Subject Matter Eligibility of Computer Readable Media". Applicant's specification ([0062]) states that a computer readable medium may take the form of RAM, which encompasses transitory media.

Claims 16 – 20 are rejected based on their dependency on a rejected base claim.

Allowable Subject Matter

3. Claims 1 – 14 are allowed.
4. The following is an examiner's statement of reasons for allowance:

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The closest prior art found are Imbimbo et al. (US 20120059913) and LaMarca et al. (US 20140171052; which the Applicant has provided in his IDS).

Regarding claim 1, Imbimbo discloses a method, comprising:

based on wireless communication between a mobile device and at least one beacon, identifying a present physical location of a mobile device (Fig. 1, mobile device is 160 or 162; beacon interpreted as control device 104; [0021]; [0076] – [0078]);

responsive to determining that the mobile device is located at a particular physical location, communicating to the mobile device at least a first message, the first message specifying at least one application to be disabled while the mobile device is present at the physical location ([0027]; [0032] where the message is inherent since the mobile device knows what applications are enabled/disabled for it; [0043]; claim 23).

LaMarca discloses based on wireless communication between a mobile device and at least one beacon, identifying a present physical location of a mobile device (Fig.1; Fig. 2, block 202; [0048]);

responsive to determining that the mobile device is located at a particular physical location, communicating to the mobile device at least a first message, the first message specifying at least one application to be disabled while the mobile device is present at the physical location (Fig. 2, blocks 206 – 216; [0051] – [0060]; wherein applications are selected based on the location i.e. enabled or disabled based on location).

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The prior art, including Imbimbo and LaMarca doesn't disclose: responsive to receiving from the mobile device a response to the first message indicating that the at least one application is disabled, authorizing, using a processor, the mobile device to establish presence on a network maintained for the physical location.

Independent claim 8 is allowed for the same reason, with claim 8 reciting equivalent apparatus limitations.

5. Claims 15 - 20 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 101 above.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Other Prior Art Cited

6. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

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The following patents are cited to further show the state of the art with respect to application selection based on location of a mobile device:

Abogendia (US 20120309373) discloses Proximity-Based Application Activation.

Mahdi (US 9071921) discloses a system and method for event driven operations in a communications system.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ADOLF DSOUZA whose telephone number is (571)272-1043. The examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, CHIEH M. FAN can be reached on 571-272-3042. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Adolf DSouza
Primary Examiner
Art Unit 2632

/ADOLF DSOUZA/
Primary Examiner, Art Unit 2632